

RESOLUTION NUMBER R- 290546

ADOPTED ON AUG 03 1998

WHEREAS, Section 8330 et seq. of the California Streets and Highways Code provides a procedure for the summary vacation of public service easements by City Council resolution where the easement is no longer required; and

WHEREAS, the abutting property owners have requested the vacation of a slope easement in Parcel 4 of Parcel Map 16970 to facilitate development of their property; and

WHEREAS, the City Council finds that:

- (a) there is no present or prospective use for the slope easement for public street purposes; and
- (b) the public will benefit from the vacation through improved utilization of land; and
- (c) the vacation is not inconsistent with the General Plan or an approved Community Plan; and
- (d) the City's interest in the slope easement has been appraised, and the value reviewed and approved by the City's Valuation Division; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, as follows:

1. That the slope easement in Parcel 4 of Parcel Map 16970, as more particularly shown on Drawing No. 18725-B on file in the office of the City Clerk as Document No. RR-290546-1, which is by this reference incorporated herein and made a part hereof, be and the same is ordered vacated.

2. That the City accept the \$94,528 as full payment for its interest in the easement.

3. That the City Manager is authorized to execute a quitclaim deed for the City's interest in the slope easement.

4. That the City Clerk shall cause the quitclaim deed, together with a certified copy of this resolution, with drawing, attested by him under seal, to be recorded in the office of the County Recorder.

APPROVED: CASEY GWINN, City Attorney

By Prescilla Dugard
Prescilla Dugard
Deputy City Attorney

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